

IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

GERARDO PARTIDA

§

VS.

§

CIVIL ACTION NO. 1:20-cv-462

YOUNG, ET AL.

§

MEMORANDUM ORDER ADOPTING THE MAGISTRATE
JUDGE'S REPORT AND RECOMMENDATION

Plaintiff Gerardo Partida, a prisoner previously confined at the Gist Unit of the Texas Department of Criminal Justice, Correctional Institutions Division, proceeding *pro se* and *in forma pauperis*, filed this civil rights action pursuant to 42 U.S.C. § 1983.

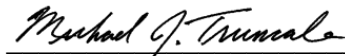
The Court referred this matter to the Honorable Christine L. Stetson, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this Court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge. The magistrate judge recommends dismissing the action without prejudice pursuant to Federal Rule of Civil Procedure 41(b) because Plaintiff failed to comply with an order to submit an amended pleading.

The court has received and considered the Report and Recommendation of United States Magistrate Judge filed pursuant to such order, along with the record and the pleadings. Proper notice was given to Plaintiff at his last known address. *See* FED. R. CIV. P. 5(b)(2)(C). No objections to the Report and Recommendation of United States Magistrate Judge were filed by the parties.

ORDER

Accordingly, the findings of fact and conclusions of law of the magistrate judge are correct, and the report of the magistrate judge [Dkt. 19] is ADOPTED. A final judgment will be entered in this case in accordance with the magistrate judge's recommendation.

SIGNED this 1st day of February, 2022.

A handwritten signature in cursive script, reading "Michael J. Truncala", written in black ink.

Michael J. Truncala
United States District Judge